

REMARKS

Claims 1, 4-7, 10-18 and 30 are pending (new claim 30 being added by this amendment).

The Examiner rejected claims 1, 4-7 and 10-18 under 35 U.S.C. § 102(e) as anticipated by Mayes et al. (U.S. Patent No. 6,632,883), stating that Mayes et al. discloses substantially as claimed throughout the entire patent.

However, Mayes et al. does not disclose or suggest a medical device or component thereof, or a catheter balloon, formed of a copolymer comprising a hard block and a polylactone soft block, as required for a rejection under 35 U.S.C. § 102. Applicants claims are not directed to the copolymer itself. Instead, Applicant's claims require a medical device or catheter balloon formed of the copolymer, which is not disclosed or suggested by Mayes et al.

Moreover, although Mayes et al. does disclose a copolymer with a lactone soft segment, Mayes et al. does not disclose any of the specific copolymers set forth in claims 1 and 7. Specifically, Mayes et al. discloses copolymers having a PCL (polycaprolactone) soft block, and a block (i.e., a PEMA block) substituted by any of the random copolymers of LMA/MMA, HMA/MMA, OMA/MMA, BMA/MMA, MMA/PMA, or any combinations of two or more of the monomers MMA, PMA, BMA, HMA, OMA and LMA (BMA=butyl methacrylate; MMA=methyl methacrylate; EMA=ethyl methacrylate; PMA=propyl methacrylate; HMA=hexyl methacrylate; OMA=octyl methacrylate; and LMA=lauryl methacrylate) (see Mayes, col. 11, lines 1-10), none of which are the PET, PEN, polyalkylene naphthalates, or polycycloalkylene naphthalates blocks required by Applicant's claims 1 and 7.

Mayes et al. appears to also disclose other copolymers of PCL including PCL/PEA (polyethylacrylate), PCL/PEMA (polymethylacrylate), and PCL/PMMA, and substituting in various random copolymers, none of which however result in the copolymers set forth in Applicant's claims 1 and 7.

Applicants filed an IDS with the amendment of November 29, 2004, but have not received a copy of the PTO-SB/08a initialed by the Examiner to indicate consideration

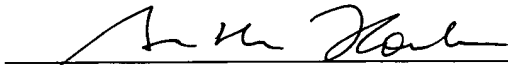
thereof. Applicants hereby request an initialed copy of the November 29, 2004 PTO-SB/08a to indicate consideration thereof by the Examiner.

In view of the foregoing, it is respectively urged that all of the present claims of the application are patentable and in a condition for allowance. The undersigned attorney can be reached at (310) 824-5555 to facilitate prosecution of this application, if necessary.

In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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